

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

v.

DIRK JOHNSON,

Defendant.

8:20CR165**ORDER**

On July 27, 2022, defendant Dirk Johnson (“Johnson”) pleaded guilty pursuant to a written plea agreement (Filing No. 128) to conspiring to distribute methamphetamine, possessing with intent to distribute methamphetamine, and using or carrying a firearm in relation to those drug-trafficking offenses. *See* 18 U.S.C. § 924(c)(1)(A); 21 U.S.C. §§ 841(a)(1), (b)(1), 846. Johnson is currently serving his sentence at the low-security Federal Correctional Institution in Forrest City, Arkansas (“FCI Forrest City”). His projected release date is August 25, 2031.

Now before the Court is Johnson’s recent *pro se* Motion for Sentence Reduction under 18 U.S.C. § 3582(c)(1)(A) (Filing No. 230). That statute allows the Court to reduce a defendant’s sentence under limited circumstances, including where they have exhausted their ability to seek relief from the Bureau of Prisons (“BOP”) and demonstrated that “extraordinary and compelling reasons warrant such a reduction.” 18 U.S.C. § 3582(c)(1)(A)(i).

According to Johnson, he requested sentencing relief from the warden of FCI Forrest City on May 26, 2025. He reports that request was promptly forwarded along for processing but that he has yet to hear back about any decision. *See id.* § 3582(c)(1)(A) (permitting defendants to move for a sentence reduction after the lapse of 30 days from the date they requested such relief from the warden of their facility). Johnson avers that

his “mental health is progressively getting worse” and he has been unable to receive proper care for his conditions. He requests an attorney be appointed to help him seek compassionate release.

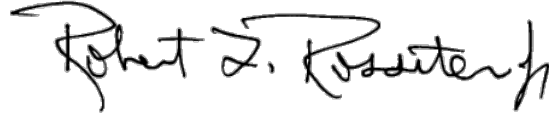
The Court finds that Johnson’s reported circumstances present potentially colorable grounds for relief under § 3582(c)(1)(A)(i) and that appointing counsel to assist him will help the Court determine whether those circumstances warrant any reduction to his sentence. Accordingly,

IT IS ORDERED:

1. The Federal Public Defender for the District of Nebraska is appointed to represent defendant Dirk Johnson for the limited purpose of determining whether there are extraordinary and compelling reasons to reduce his term of imprisonment.
2. In the event the Federal Public Defender should decline this appointment because of a conflict of interest or on the basis of the Amended Criminal Justice Act Plan, the Federal Public Defender shall provide the Court with a draft appointment order (CJA Form 20) bearing the name and other identifying information of the CJA Panel attorney identified in accordance with the Amended Criminal Justice Act Plan for this district.
3. If upon review the Federal Public Defender should conclude that Johnson’s motion is frivolous, the Federal Public Defender may move to withdraw as counsel.
4. The U.S. Probation and Pretrial Services Office is directed to investigate Johnson’s request for a sentence reduction and promptly file under seal a report on that investigation.
5. The probation office is authorized to disclose Presentence Investigation Reports to the Federal Public Defender and the United States Attorney for the purpose of evaluating the motion. Johnson’s counsel shall provide the Presentence Investigation Report to any subsequently appointed or retained counsel. In accordance with the policy of the Federal Bureau of Prisons, no Presentence Investigation Report shall be provided to inmates.
6. The government and Johnson’s counsel shall each file within ten days of the probation office filing its investigation report a brief addressing Johnson’s request for sentencing relief and provide any evidence necessary to the Court’s disposition of his motion. Absent an extension, the motion shall be deemed fully briefed and submitted as of that date.

Dated this 22nd day of July 2025.

BY THE COURT:

A handwritten signature in black ink, reading "Robert F. Rossiter, Jr." with a stylized flourish at the end.

Robert F. Rossiter, Jr.
Chief United States District Judge